

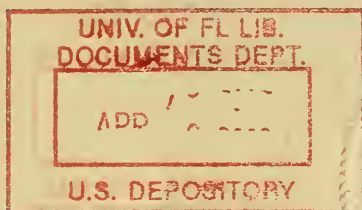
NATIONAL RECOVERY ADMINISTRATION

AMENDMENT TO
CODE OF FAIR COMPETITION

FOR THE

LUGGAGE AND FANCY
LEATHER GOODS INDUSTRY

AS APPROVED ON JUNE 29, 1934



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON: 1934

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Approved Code No. 42—Amendment No. 2

AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

LUGGAGE AND FANCY LEATHER GOODS
INDUSTRY

As Approved on June 29, 1934

ORDER

APPROVING AMENDMENT OF CODE OF FAIR COMPETITION FOR THE
LUGGAGE AND FANCY LEATHER GOODS INDUSTRY

An application having been duly made pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for approval of an amendment to a Code of Fair Competition for the Luggage and Fancy Leather Goods Industry, and hearings having been duly held thereon and the annexed report on said amendment, containing findings with respect thereto, having been made and directed to the President:

NOW, THEREFORE, on behalf of the President of the United States, I, Hugh S. Johnson, Administrator for Industrial Recovery, pursuant to authority vested in me by Executive Orders of the President, including Executive Order No. 6543-A, dated December 30, 1933, and otherwise; do hereby incorporate, by reference, said annexed report and do find that said amendment and the Code as constituted after being amended comply in all respects with the pertinent provisions and will promote the policy and purposes of said Title of said Act, and do hereby order that said amendment be and it is hereby approved, and that the previous approval of said Code is hereby modified to include an approval of said Code in its entirety as amended.

HUGH S. JOHNSON,
Administrator for Industrial Recovery.

Approval recommended:

GEO. L. BERRY,
Division Administrator.

WASHINGTON, D.C.,
June 29, 1934.

REPORT TO THE PRESIDENT

The PRESIDENT,
The White House.

SIR: This is a report on the amendments to the Code of Fair Competition for the Luggage and Fancy Leather Goods Industry and on the hearing conducted thereon in Washington, D.C., June 6, 1934, in accordance with the provisions of Title I of the National Industrial Recovery Act.

The Luggage and Fancy Leather Goods Industry, through the Executive Code Committee, its Code Authority, has offered amendments to the Code of Fair Competition for the Luggage and Fancy Leather Goods Industry.

RÉSUMÉ OF MODIFICATIONS

1. For the inclusion of "wallets, desk sets, key cases and pencil cases", upon which hearing was held and which should have been included in the amendment of March 10, 1934, but was omitted in copying through an oversight.

2. For the inclusion of a further provision to Article V, Section 7, of the amendment of March 10, 1934, upon which hearing was held and which should have been included in the amendment of that date, but was omitted in copying through an oversight.

3. The provision which it is proposed to add to Article VII was included at the suggestion of the Administration in order to clarify and to comply with the policy of the Administration in the collection of code authority assessments.

4. The purpose of this amendment is to permit the Code Authority to incorporate.

5. The purpose of Article VI, Section 12 (a) is to permit the retailer to procure his holiday merchandise in advance of the regular peak season, and to enable the industry to procure their orders at an earlier date so as to avoid last minute rush orders.

6. The purpose of Article VI, Section 12 (b) of the Amendment of March 10, 1934, is to clarify the present section.

The Deputy Administrator in his final report to me on said Amendment to said Code, having found as herein set forth and on the basis of all the proceedings in this matter:

I find that:

(a) The Amendments to said Code and the Code as amended are well designed to promote the policies and purposes of Title I of the National Industrial Recovery Act including the removal of obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof, and will provide for the general welfare by promoting the organization of industry for the purpose of cooperative action among trade groups, by inducing and main-

taining united action of labor and management under adequate governmental sanction and supervision, by eliminating unfair competitive practices, by promoting the fullest possible utilization of the present productive capacity of the industries, by avoiding undue restrictions of production (except as may be temporarily required), by increasing the consumption of industrial and agricultural products through increasing purchasing power, by reducing and relieving unemployment, by improving standards of labor, and by otherwise rehabilitating industry.

(b) The Code as amended complies in all respects with the pertinent provisions of said Title of said Act, including without limitation Subsection (a) of Section 3, Subsection (a) of Section 7 and Subsection (b) of Section 10 thereof.

(c) The Amendments and the Code as amended are not designed to and will not permit monopolies or monopolistic practices.

(d) The Amendments and the Code as amended are not designed to and will not eliminate or oppress small enterprises and will not operate to discriminate against them.

(e) Those engaged in other steps of the economic process have not been deprived of the right to be heard prior to approval of said Amendments.

For these reasons the Amendments have been approved.

Respectfully,

HUGH S. JOHNSON,
Administrator.

JUNE 29, 1934.

AMENDMENT TO CODE OF FAIR COMPETITION FOR THE LUGGAGE AND FANCY LEATHER GOODS INDUSTRY

In accordance with the procedure specified in Article VII, Section 8, of the Code of Fair Competition for the Luggage and Fancy Leather Goods Industry, the Executive Code Committee, being the Planning and Fair Practice Agency for the Industry, submits herewith the following amendments or modifications to the Code:

1. It is proposed that Section 1, sub-section (b) of the amendment to the Code of Fair Competition for the Luggage and Fancy Leather Goods Industry, approved March 10, 1934, be amended by adding after the word "card cases" in the 5th line the following: "wallets, desk sets, key cases and pencil cases".

2. Add to Section 7, Article V, approved in the amendment of March 10, 1934, after the last paragraph, the following:

"The Executive Code Committee may also grant the same privilege to another Division or Divisions of this Industry on the application of such Division or Divisions."

3. It is proposed that Article VII entitled "Participation" be amended by adding the following thereto as Section 2:

"SECTION 2. A. It being found necessary to support the Administration of this Code, in order to effectuate the policy of the Act and to maintain the standards of fair competition established hereunder, the Code Authority is authorized:

"1. To incur such reasonable obligations as are necessary and proper for the foregoing purposes and to meet such obligations out of funds which shall be held in trust for the purposes of the Code and raised as hereinafter provided;

"2. To submit to the Administrator for his approval, subject to such notice and opportunity to be heard as he may deem necessary:

"(a) An itemized budget of its estimated expenses for the foregoing purposes, and

"(b) An equitable basis upon which the funds necessary to support such budget shall be contributed by all members of the Industry entitled to the benefits accruing from the maintenance of such standards, and the administration thereof;

"3. After such budget and basis of contribution have been approved by the Administrator, to determine and collect equitable contributions as above set forth, and to that end, if necessary, to institute legal proceedings therefor in its own name.

"B. Each member of the industry shall pay his or its equitable contribution to the expenses of the maintenance of the Code Authority, determined as hereinabove provided, and subject to the rules and regulations pertaining thereto issued by the Administrator. Only

members of the industry complying with the Code and contributing to the expenses of its administration as hereinabove provided, shall be entitled to participate in the selection of members of the Code Authority or to receive the benefits or any of its voluntary activities.

"C. The Code Authority shall neither incur nor pay any obligation in excess of the amount thereof as estimated in its approved budget, except upon approval of the Administrator, and no subsequent budget shall contain any deficiency item for expenditures in excess of prior budget estimates except those which the Administrator shall have so approved."

4. It is proposed that Section 1, Article VIII, after the words "as a Planning and Fair Practice Agency of the Industry" the following sentences be added:

"The Executive Code Committee may incorporate under the laws of any State of the United States or of the District of Columbia, such corporation to be not for profit and to be known as 'the Code Authority of the Luggage and Fancy Leather Goods Industry'; provided that the powers, duties, objects and purposes of the said corporation, shall, to the satisfaction of the Administrator, be limited to the powers, duties, objects and purposes of the Executive Code Committee as provided in the Code; provided further, that the Code Authority shall submit to the Administrator, for his approval, its proposed Certificate of Incorporation and proposed by-laws, and no amendment of either shall be made without the like prior approval of the Administrator. If at any time, the Administrator shall determine that the corporate status assumed by the Code Authority is interfering with the proper exercise of its powers and duties under this Code, or with the effectuation of the policies or purposes of the Act, he may, after such notice and hearing as he may deem necessary, require an appropriate modification of the structure of the Corporation (if consistent with the law of the State of Incorporation), the substitution of a corporation created under the laws of another State in the same manner as the existing Code Authority, the substitution of a non-corporate Code Authority truly representative of the Industry or such other actions as he may deem expedient."

5. It is proposed that paragraph "a", Section 12, of Article VI, be amended to read as follows:

(a) "In the brief case, hand luggage, sample case, sample trunk and trunk division of the Industry terms shall not exceed 2% 10 days, 30 days extra from date of shipment, except that manufacturers shall be permitted to accept one order to a customer shipped after October 15th, dated December 1st."

6. It is proposed that paragraph "b", Section 12, of Article VI, as amended March 10, 1934, shall be amended to read as follows:

(b) "In the fancy and small leather goods division of the Industry, terms to the chain and variety stores, wholesalers and mail order houses shall not exceed 2% 10 days from date of shipment, with the privilege of giving E.O.M. (end of month) dating. To all other purchasers terms shall not exceed 3% 10 days from date of shipment, with the privilege of giving E.O.M. (end of month) dating, and from said purchasers manufacturers in the fancy and small leather goods



division shall be permitted to accept one order to a customer, shipped after August 1st, dated December 1st, with maximum terms 3% 10 days, E.O.M. (end of month) dating, and also one order to a wholesaler, shipped after August 1st, dated December 1st, with maximum terms 2% 10 days, E.O.M. (end of month) dating."

Approved Code No. 42—Amendment No. 2.
Registry No. 907-1-01.

